

## REMARKS

Claims 1-18 were examined. Claims 1-3, 7, 9, 10 and 12-18 were rejected. Claims 4-6, 8 and 11 were determined to be allowable if rewritten in independent form, including all the limitations of their base claims and any intervening claims. In response to the above-identified Office Action, Applicants amend Claims 1, 4 and 7, cancel Claims 14-18, add Claims 19-22, and seek reconsideration of pending claims 1-13 and 19-22.

### I. Claims Rejected Under 35 U.S.C. § 102(b)

The Examiner rejected Claim 1 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,168,537 issued to Rajasekharan *et al.* ("*Rajasekharan*"). In order to anticipate a claim, the reference relied upon must disclose every limitation of the claim. In this situation, Applicants respectfully disagree that *Rajasekharan* discloses every limitation of Claim 1.

Claim 1 recites an apparatus comprising, *inter alia*, a base, a first side wall and a second side wall defining an interior chamber with a planar reflective component disposed on the second side wall in the interior chamber. This apparatus differs from that depicted by Fig. 4 of *Rajasekharan*, which shows two chambers separated by a prism. *See also, Rajasekharan*, col. 5, lines 65-66 and col. 7, lines 67-68. Since a prism is different than a planar reflective component, *Rajasekharan* fails to disclose every limitation of Claim 1, and therefore does not anticipate that Claim.

For at least these reasons, Applicants respectfully request that this ground of rejection be withdrawn.

## II. Claims Rejected Under 35 U.S.C. § 102(e)

The Examiner rejects Claims 1-3, 7, 9, 10, 12 and 13 under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,454,470 issued to Dwarkin *et al.* ("*Dwarkin*"). In order to anticipate a claim, the reference relied upon must disclose every limitation of the claim. In this situation, Applicants respectfully disagree that *Dwarkin* discloses every limitation of the rejected claims.

Claim 1 recites, *inter alia*, a semiconductor laser fixed to a board substrate so that the semiconductor laser emits light in a direction substantially perpendicular to the plane of the board substrate, through an opening in the board substrate. *Dwarkin*, by contrast, teaches an optoelectronic interconnect module mounted to a circuit substrate, emitting or receiving optical radiation through a window in a metal cover, and *not* through an opening in the board substrate. Thus *Dwarkin* fails to disclose at least one limitation of Claim 1, and the rejection should be withdrawn.

In addition, Claims 2 and 3 depend upon Claim 1, and for at least the reasons given in support of that Claim, Claims 2 and 3 are not anticipated by *Dwarkin*.

As to Claim 7, Applicants have amended Claim 7 to clarify that the at least one of a light receiving source and a light emitting source is coupled to the optical circuit substrate and aligned so as to receive or emit light through an opening in the optical circuit substrate. The system taught by *Dwarkin* does not include receiving or emitting light through an opening in the optical circuit

substrate, and therefore Applicants believe the amendment patentably distinguishes the system claimed from the prior art of record.

As to Claims 9, 10, 12 and 13, those Claims depend upon Claim 7, which was shown to be patentable in the discussion above. For at least the reasons given, Applicants respectfully submit that Claims 9, 10, 12 and 13 are also allowable, and request that rejections be withdrawn.

### **III. Claims Rejected under 35 U.S.C. § 103(a)**

The Examiner rejects Claims 14-18 under 35 U.S.C. § 103(a) as unpatentable over *Dwarkin (supra)*. In this Amendment and Response, Applicants cancel Claims 14-18.

### **IV. Amended Claims**

The Examiner noted that Claim 4 would be allowable if rewritten to include all the limitations of its base claim. Applicants have amended Claim 4 in this manner, and consequently believe that Claim 4 is in condition for allowance.

As to Claims 5 and 6, the Examiner suggested that those Claims would be allowable if rewritten to include all the limitations of their base claim. However, Applicants have instead amended the base claim, Claim 1, and for at least the reasons discussed in relation to that claim above, submit that Claims 5 and 6 are patentable over the prior art made of record.

As to Claims 8 and 11, the Examiner noted that those Claims would be allowable if rewritten to include all the limitations of their base claim. However, Applicants have instead amended the base claim, Claim 7, as discussed above.

For at least those reasons, Applicants request that Claims 8 and 11 be allowed as well.

**V. New Claims**

In this Amendment and Response, Applicants add Claims 19-22. It is believed that the new claims are supported by the original disclosure, and do not represent new matter. Thus, consideration and allowance are requested.

### CONCLUSION

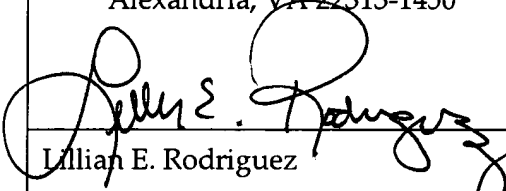
In view of the foregoing, it is believed that all claims now pending, namely Claims 1-13 and 19-22, patentably define the subject invention over the prior art of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207-3800.

Dated: 9/29, 2004

Respectfully submitted,  
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<p>12400 Wilshire Boulevard Seventh Floor Los Angeles, California 90025  (310) 207-3800</p>	<p style="text-align: center;"><u>CERTIFICATE OF MAILING</u></p> <p>I hereby certify that the correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:</p> <p style="text-align: center;">Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p> <p style="text-align: center;"> Lillian E. Rodriguez</p> <p style="text-align: right;">9-29-04 September 29, 2004</p>
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